Kansas Department of Health and Environment

Division of Environment

Bureau of Air

REGULATORY IMPACT STATEMENT CONSISTING OF:

I. ENVIRONMENTAL BENEFIT STATEMENT

AND

II. ECONOMIC IMPACT STATEMENT

Pursuant to K.S.A. 77-416

PROPOSED AMENDMENT OF PERMANENT AIR QUALITY REGULATION:

K.A.R. 28-19-720

AND REVOCATION OF EXISTING KANSAS AIR QUALITY REGULATIONS:

K.A.R. 28-19-728, K.A.R. 28-19-728a through K.A.R. 28-19-728f

June 2010

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Background of Proposed Amendments and Proposed Revocations

The Bureau of Air of the Kansas Department of Health and Environment (KDHE) is proposing to amend certain Kansas Air Quality Regulations, specifically Kansas Administrative Regulation (K.A.R.) 28-19-720, "New Source Performance Standards" (NSPS). Operating under delegated authority from the Environmental Protection Agency (EPA), the state of Kansas has been designated the primary authority to implement and enforce federal standards that are adopted into the state regulations. An agreement signed in May of 1986 specifically granted the state the authority for the NSPS which are adopted in K.A.R. 28-19-720. This 1986 document spells out the procedures and conditions wherein the authority is automatically delegated to Kansas upon the incorporation of the standard into Kansas regulation.

To date, the state authority for NSPS exists only for the federal rules promulgated by the EPA through June 30, 2005 and specific amendments to include the federal Clean Air Mercury Rule (70 fed. reg. 51268-51269 and 71 fed. reg. 33398-333400), as these are the last adoptions by reference in K.A.R. 28-19-720. Facilities in Kansas are nonetheless subject to provisions of the federal rules promulgated after June 30, 2005, which the EPA has full authority to implement and enforce. The state must adopt current federal regulations before it may gain the primary enforcement authority to administer the previously enacted federal provisions. Thus the basic purpose of the proposed amendments is to update K.A.R. 28-19-720 to incorporate the federal changes made to the respective standards since the last date of adoption into the state regulations.

On February 8, 2008, the District of Columbia Circuit Court of Appeals, in a unanimous decision, vacated the EPA's mercury cap-and-trade rule, known as the Clean Air Mercury Rule (CAMR), and the associated New Source Performance Standard (NSPS). In the decision, the DC Circuit Court found that EPA's action to remove oil- and coal-fired electric generating units (EGUs) from the list of source categories to be regulated under the Clean Air Act (CAA) Section 112 did not comply with the requirements of the statute. CAMR was vacated because the court determined that EGUs must be regulated under CAA Section 112 standards, rather than the Section 111-based standards (NSPS).

The vacatur was mandated by the Court on March 14, 2008 and the associated mercury rules are no longer effective. On May 20, 2008, the U.S. Court of Appeals for the DC Circuit denied requests by EPA and the Utility Air Regulatory Group for a rehearing on the court's February 8, 2008 decision to vacate CAMR. This denial means the order to vacate CAMR remains in effect. To date, EPA has not revoked or removed provisions of the code of federal regulations which implement CAMR. To provide regulatory certainty for sources in Kansas, KDHE is also proposing to revoke K.A.R. 28-19-728, K.A.R. 28-19-728a through K.A.R. 28-19-728f provisions and exclude specific provisions of 40 C.F.R. part 60 from K.A.R. 28-19-720, which implement the federal Clean Air Mercury Rule.

K.A.R. 28-19-720: New Source Performance Standards (NSPS)

K.A.R. 28-19-720 implements the federal NSPS provisions as state requirements under the Kansas Air Quality Act. The pollutants of concern under the NSPS are the criteria pollutants for which ambient air quality standards are established in 40 C.F.R. Part 50. These are: sulfur oxides (sulfur dioxide), nitrogen oxides, ozone, particulate matter, lead, and carbon monoxide. Section 111 of the Clean Air Act (CAA) directs the EPA to develop regulations implementing emissions standards of the relevant pollutants for new stationary sources. The Federal NSPS provisions are codified at 40 C.F.R. part 60, and regulate new, modified or reconstructed facilities within each of several defined source categories. They also establish performance standards for the operation of the facilities, which promotes the facility to reduce emissions of relevant air pollutants.

The NSPS include emissions limitations, work practices, and other enforceable methods for accomplishing the goal of reducing air pollutant emissions from these sources. The following table lists the specific new NSPS provisions that have been amended or promulgated since July 1, 2005 up to June 30, 2008. Detailed summaries of amendments determined to cause an economic impact are provided in the Economic Impact Statement of this Regulatory Impact Statement. Summaries for the changes not causing an economic impact are provided in Appendix A. Although every change that has been published in the *Federal Register* from July 1, 2005 to June 30, 2008 is listed,

not all are recommended for adoption. Located in Appendix B is a brief discussion of the amendments that are not proposed for adoption.

The table below provides the following information in chronological order: the part or subpart of the rule being amended, the *Federal Register* publication citation and date, and a short description of the rule.

Part/Subpart	Federal Register Publication Citation/ Date	Description
***60.2265 Subpart CCCC; *60.2875 Subpart DDDD**	70 FR 55568 September 22, 2005	Commercial and Industrial Solid Waste Incineration Units (CISWI)
***60.25 Subpart B**	70 FR 59848 October 13, 2005	Cross-Media Electronic Reporting
60.41c Subpart Dc	70 FR 74679 December 16, 2005	Definition Correction
60.17 Subpart A; 60.2880- 60.2977, Tables 1-4 Subpart EEEE; 60.2980-60.3078, Tables 1-5 Subpart FFFF	70 FR 74870 December 16, 2005	Other Solid Waste Incinerators (OSWI)
60.334 & 60.335 Subpart GG	71 FR 9453 February 24, 2006	Stationary Gas Turbines
60.40Da-60.50Da Subpart Da; 60.40b-60.48b Subpart Db; 60.40c-60.48c Subpart Dc	71 FR 9866 February 27, 2006	Electric Utility and Industrial-Commercial-Institutional (including small) Steam Generating Units
60.30b-60.59b, Tables 1-3 Subpart Cb; 60.50 Subpart E; 60.50b–60.59b Subpart Eb	71 FR 27324 May 10, 2006	Large Municipal Waste Combustors
60 Appendix A-2, A-4 and A-7	71 FR 28082 May 15, 2006	Continuous Instrumental Test Methods
60.13 Subpart A	71 FR 31100 June 1, 2006	General Provisions
***60.24 Subpart B; *60.40Da – 60.50Da Subpart Da; *60.40b Subpart Db; *60.4104-60.4140 Subpart HHHH**	71 FR 33388 June 9, 2006	New and Existing Electric Utility Steam Generating Units: Reconsideration
60.17 Subpart A; 60.4300-60.4420, Table 1 Subpart KKKK	71 FR 38482 July 6, 2006	Combustion Turbines
60.17 Subpart A; 60.4200-60.4219, Tables 1-8 Subpart IIII	71 FR 39154 July 11, 2006	Compression Ignition Internal Combustion Engines
60.106(b)(3); 60.284(f); 60.752(b)(2)(iii)(A); 60.754(e); Appendix A-7 Test Methods 19-25E; Appendix B PS 2	71 FR 55119 September 21, 2006	Methods for Measurement for Visible Emission
60.49b Subpart Db	71 FR 66681 November 16, 2006	Industrial-Commercial-Institutional Steam Generating Units
Table 1 Subpart EEEE; Table 2 Subpart FFFF	71 FR 67802 November 24, 2006	Other Solid Waste Incineration Units (OSWI)
60 Subpart EEEE and FFFF	72 FR 2620 January 22, 2007	Other Solid Waste Incineration Units (OSWI)

Part/Subpart	Federal Register Publication Citation/ Date	Description
60 Subpart Cb and Eb	72 FR 13016 March 20, 2007	Large Municipal Waste Combustors
60.2 Subpart A	72 FR 27437 May 16, 2007	General Provisions
60.13 and 60.17 Subpart A; 60.40-60.46 Subpart D; 60.40Da-60.52Da Subpart Da; 60.40b-60.49b Subpart Db; 60.40c-60.48c Subpart Dc	72 FR 32710 June 13, 2007	Electric Utility Steam Generating Units and Industrial-Commercial-Institutional Steam Generating Units
Part 60 Appendix A-8 and B	72 FR 51494 September 7, 2007	Optional Relative Accuracy Test Audits of Mercury Monitoring Systems
Part 60 Appendix A-8 and B	72 FR 55278 September 28, 2007	Correction: Mercury Monitoring Systems
***60.24 Subpart B; *61.4102 Subpart HHHH**	72 FR 59190 October 19, 2007	Definition Revision and Technical Correction: Clean Air Mercury Rule
60.17 Subpart A; 60.480-60.487 Subpart VV; 60.480a-60.489a Subpart VVa; 60.590-60.593 Subpart GGG; 60.590a-60.593a Subpart GGGa	72 FR 64860 November 16, 2007	Equipment Leaks of VOC in Synthetic Organic Chemical Manufacturing Industry and Petroleum Refineries
60.17 Subpart A; 60.4230-60.4248, Tables 1-4 Subpart JJJJ	73 FR 3568 January 18, 2008	Stationary Spark Ignition Internal Combustion Engines
***60.4 Subpart A**	73 FR 24870 May 6, 2008	Technical Correction
Part 60 Appendix A-2, A-4 and A-7	73 FR 29691 May 22, 2008	Continuous Instrumental Test Methods
60.480-60.482-1 Subpart VV; 60.480a-60.482-11a Subpart VVa; 60.590-60.591 Subpart GGG; 60.590a-60.591a Subpart GGGa	73 FR 31372 June 2, 2008	Equipment Leaks of VOC in Synthetic Organic Chemical Manufacturing Industry and Petroleum Refineries; stay
60.17 Subpart A; 60.100-60.108 Subpart J; *60.100a-60.109a Subpart Ja	73 FR 35838 June 24, 2008	Petroleum Refineries

*Not being proposed for adoption by reference.

I. Environmental Benefit Statement

1) Need for proposed amendments and environmental benefit likely to accrue.

a) Need

The amendments are needed to maintain the state's authority to administer the federal regulations under existing delegation agreements. Adoption of the amendments is a routine action that is necessary to update the state regulations to assure that they are current and consistent with the federal requirements. Once the amendments proposed herein are adopted, the state will be delegated primary authority to enforce the NSPS amendments. Currently, the EPA and Kansas have what is termed "split authority" for implementation and enforcement of regulations. This is because the EPA carries exclusive authority for federal regulations that have been enacted since the last date of state adoption, June 30, 2005, and the state has exclusive authority for all of the regulations adopted prior to that date.

Adopting the new federal regulations does not, however, guarantee that the state will have exclusive authority. If the state does adopt the current amendments, they must notify the EPA of their intentions to adopt the emissions standards that have been enacted after June 30, 2005. The EPA will subsequently determine the state's ability to implement and enforce the new standards. If the EPA determined that the state, by failing to adopt applicable standards for a significant period, had compromised the program's efficacy, the EPA may exercise its authority to withdraw approval of the state program. Since the proposed state regulation amendments will be adopted verbatim based on the federal regulation, and since the state is taking immediate action, there should be no reason for the EPA to withdraw approval.

With the current system of "split authority," sources in the state may be subject to inconsistency when enforcing regulations, causing confusion for the regulated community regarding the relative roles of the state and federal agencies. Adoption of these rules provides compliance with the federal standards, and promotes uniformity throughout our current system.

b) Environmental benefit

The proposed revisions are not expected to result in specific environmental benefits beyond those already achieved by the federal promulgation. The standards are currently in effect through the administration of EPA, meaning the affected facilities are already subject to the standards. However, adopting these amendments will allow Kansas facilities to work directly with state officials, rather than the EPA, which could make permitting and compliance a less burdensome task. Providing implementation at the state level will enhance the consistency in the application of the standards, provide for easier administration at a state level, and alleviate the burden on the federal government.

2) When applicable, a summary of the research indicating the level of risk to the public health or the environment being removed or controlled by the proposed rules and regulations or amendment.

For the NSPS, which address criteria pollutants, Section 109 of the CAA directs the EPA Administrator to set the national primary ambient air quality standards (NAAQS) for each of the criteria pollutants at levels "the attainment and maintenance of which ... are requisite to protect the public health." (42 U.S.C. §7409(b)(1)). The EPA has conducted or utilized research on the health effects of the various pollutants that have guided their promulgation of the standards being adopted. This began with the establishment of the NAAQS, and continues with the creation and updating of emissions standards necessary to reduce emissions to attain and maintain the air quality within the NAAQS levels. Each standard has been subjected to peer review and often to litigation as well.

3) If specific contaminants are to be controlled by the amendment, a description indicating the level at which the contaminants are considered harmful according to current available research.

As noted above, these determinations have been made at the federal level through extensive research; the state rules are no more stringent than the federal rules.

II. Economic Impact Statement

1) Are the amendments mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program?

Yes, under the federal CAA and the EPA-Kansas delegation agreements, the state of Kansas is required to adopt the most recent federal rules as state-enforceable rules in order to gain the authority to administer and enforce the new standards statewide. Additionally, the continued approval of the overall state air quality program is predicated in part upon the state periodically updating its regulations to be on a par with federal regulations promulgated by the EPA.

2) Do the proposed amendments exceed the requirements of applicable federal law?

No, the amendments being proposed for adoption are identical to the federal standards, as the federal standards are adopted *verbatim* by reference. Currently the Kansas Air Quality Regulations which implement the federal Clean Air Mercury Rule (CAMR) are more stringent than the federal requirements, as they were adopted by a date certain. On February 8, 2008, the District of Columbia Circuit Court of Appeals vacated CAMR, the proposed revocation of K.A.R. 28-19-728, K.A.R. 28-19-728a through K.A.R. 28-19-728f provisions and the exclusion of specific provisions of 40 C.F.R. part 60 from K.A.R. 28-19-720 will align the Kansas Air Quality Regulations with this court action.

3) Description of costs to agencies, to the general public and to persons who are affected by, or are subject to, the regulations:

a) Capital and annual costs of compliance with the proposed amendments and the persons who will bear those costs.

For the EPA to approve the state's Title V operating permit program, one condition is that the state periodically update their standards to incorporate new federal

regulations. Failure to adopt these proposed state regulation amendments will not result in the federal standards being rendered inapplicable to sources, but, as previously discussed, would instead result in a "split authority" regulatory structure. If the amendments are not implemented and the EPA were to withdraw approval of the state plan, then the CAA provisions, including the Title V operating permit program would be administered by the EPA.

It is important that the state continue to maintain the regulations in a current status, as the state's air program achieves a level of economic efficiency in the administration of the Title V permit program. This results in direct financial savings to the regulated facilities within Kansas. Approval of Kansas's Title V permit program also authorizes Kansas to be the sole collector of application fees and costs. Although minor, these costs provide a source of revenue to the state.

The cost of compliance for facilities is not increased, *per se,* by the proposed state rulemaking, because these rules are already in force at the federal level. There are no anticipated additional costs resulting from these proposed amendments beyond those resulting from the initial federal rule adoption and promulgation. Adoption of Federal CAA regulations means facilities regulated therein, are subject to the costs associated with meeting the respective federal standards regardless of whether or not the state adopts the particular standards. Because the state adopts these *verbatim*, and adds no additional requirements, no additional costs to the regulated community are imposed by the proposed state action.

In certain cases, the rules incorporated into the state standards by the proposed amendments have the effect of reducing or delaying the economic impacts on sources, or have no economic impact. Although some of the rules require stricter emission standards or add-on controls, many times there is ultimately no economic change because the existing NSPS already require the technology needed to enforce the proposed regulations. Some of the amendments are merely technical corrections, with no actual change in requirements, therefore leading to no economic impact. Additionally, some standards adopted or amended by the EPA regulate facilities or groups of facilities that do not currently exist within the state (*e.g.*, large municipal waste combustors).

The table above provided a list of all the regulations published in the *Federal Register* for NSPS from July 1, 2005 to June 30, 2008. A more detailed summary of each action that causes economic impact is provided below. When the EPA created a national economic impact analysis for a regulation, the information regarding the impact has been provided below. To create an impact analysis the EPA uses models to estimate economic, social, and air impacts. For further information concerning proposed amendments not causing or contributing to an economic impact in Kansas, please see Appendix A. Regulations that were published in the *Federal Register* that are not being proposed for adoption are listed in Appendix B, along with a summary of why they should be excluded.

The following are the amendments being proposed for adoption that have been determined to cause an economic impact by implementing EPA's federal rule requirements. They are currently contained in the *Federal Register* 40 C.F.R. Part 60:

Other Solid Waste Incineration units:

- **60.2880- 60.2977 Subpart EEEE; 60.2980-60.3078 Subpart FFFF**

December 16, 2005 Volume 70: 74870-74924

This action promulgates NSPS for other solid waste incinerators (OSWI). This rule fulfills the requirements for section 111 of the CAA, which requires the EPA to promulgate new emission standards and guidelines for solid waste incineration units. OSWI covers very small municipal waste combustion units and institutional waste incineration units. Subpart EEEE of this rule refers to OSWI units in which construction was commenced after December 9, 2004, or for which modification or reconstruction was commenced on or after June 12, 2006. Subpart FFFF refers to OSWI units that commenced construction on or before December 9, 2004. Under the new regulation, all facilities regulated under OSWI are required to obtain a Title V operating permit.

On December 9, 2004, EPA proposed the original OSWI rule, which regulated all OSWI units and air curtain incinerators that burn less than 35 tons. Previously, the EPA requested that each state declare how many facilities are located within the state that could potentially be regulated by the OSWI rule. At that time there were no registered OSWI facilities in Kansas, therefore, Kansas filed a negative declaration with the EPA.

After reviewing the criteria for OSWI units, two facilities have been identified in Kansas that fall under the OSWI regulations. One identified facility in Leavenworth County is subject to Subpart FFFF. The University of St. Mary has been notified of the requirements and has opted to permanently shut down their OSWI. The second facility identified is an air curtain destructor subject to Subpart EEEE, it is owned by Finney County Department of Public Works. To date the construction of the combustor for the October 18, 2007 Construction Approval has been completed, but the facility has yet to start-up. Once the facility has notified KDHE of the start-up date they will conduct the required emissions testing and within one year from start-up submit

their Title V application to KDHE for operation. Due to this one OSWI operating in the state, Kansas will retract the negative declaration to EPA.

Cost/Economic Impacts:

EPA concluded that this action will not have a significant economic impact on a substantial number of small entities. The economic impacts on small entities will not be significant because the cost of the final rules is expected to range from negligible to actual cost savings. EPA expects that the majority of these entities may realize a cost savings under the likely response to the final rules (closure and using alternative waste disposal method). However, if a source remains operational, this OSWI rule derives an economic impact from the requirement for all air curtain incinerators that would otherwise be institutional waste incineration (IWI) or very small municipal waste combustion (VSMWC) to obtain Title V permits. Currently, those air curtain incinerators are only required to obtain open burning permits. Title V permits are more expensive than open burning permits because they contain more stringent requirements. The estimated annual cost for Finney County Department of Public Works is approximated at $5,000 for compliance with the NSPS and Title V requirements.

Stationary Compression Ignition Internal Combustion Engines:

- **60.17 Subpart A; 60.42-60.4219 Subpart IIII**

July 11, 2006 Volume 71: 39154-39185

This action finalizes NSPS for Stationary Compression Ignition (CI) Internal Combustion Engines (ICE). An affected source is each stationary CI internal combustion engine whose construction, modification or reconstruction commenced after July 11, 2005. There are approximately 24 sources subject to Subpart IIII operating in Kansas.

Cost/Economic Impact

The total costs of the final rule are mostly based on the cost associated with purchasing and installing nitrogen oxides (NO_x) adsorbers and catalyzed diesel particulate filters (CDPF) controls on non-emergency stationary CI ICE. The cost of installing a NO_X adsorber and CDPF were based on information developed for the nonroad rule for diesel engines (EPA 2004)[1]. EPA expects that very few stationary CI ICE with a displacement of 30 cylinders or more would be installed in the U.S. and, therefore, no costs have been estimated. However, if stationary CI ICE of such displacement are installed, there would be associated notification and compliance testing costs.

The total national capital cost for the final rule is estimated to be approximately $67 million with a total national annual cost of $57 million in the year 2015. The total national capital and annual costs in the year 2030 are estimated to be $93 and $286 million, respectively.

The final rule affects new sources of stationary diesel engines as part of generator sets and welding equipment, pump and compressor equipment, and irrigation equipment. All estimates are for year 2015, since this is the year for which the compliance cost impacts are estimated. The increases in price estimated for this equipment are presented in the following table along with their corresponding reductions in output. These small reductions in output are due to limited change in demand from consumers in response to the estimated price changes as based on market data. The overall total annual social costs, which reflect changes in consumer and producer behavior in response to the compliance costs, are $39.1 million.[2]

The economic impacts are relatively small since the change in expected output from affected industries will be quite small. Therefore, the industries producing the affected engines and the

[1] EPA, April 2003: *Economic Impact Analysis for Nonroad Diesel Tier 4 Rule* [Docket ID: EPA-HQ-OAR-2003-0012]

[2] EPA, June 2006: *Regulatory Impact Analysis of the Standards of Performance for Stationary Compression Ignition Internal Combustion Engines* [Docket ID: EPA-HQ-OAR-2005-0029]

consumers who would use these engines will experience little or no impact as a result of the final rule.

Equipment Affected by Regulation	Estimated Price Increase for Equipment	Reduction in Output of Equipment
Irrigation System	2.3 %	0.01 %
Pumps and Compressors	4.3 %	0.03 %
Generator Sets and Welding Equipment	10 %	0.42 %

Synthetic Organic Chemical Manufacturing Industry and Petroleum Refineries

- **60.17 Subpart A; 60.480 – 60.482-3, 60.482-5 – 60.482-9, 60.483-1,60.483-2, 60.484 – 60.487 Subpart VV; 60.480a – 60.489a Subpart VVa; 60.590 – 60.593 Subpart GGG; 60.590a – 60.593a Subpart GGGa**

November 16, 2007 Volume 72: 64860 – 68497

This action establishes and amends NSPS for equipment leaks of volatile organic compounds (VOC's) for the synthetic organic chemicals manufacturing industry (SOCMI) and amends NSPS for petroleum refinery equipment leaks. Subpart VV regulations apply to affected facilities at synthetic organic chemical manufacturing plants that were constructed, reconstructed, or modified on or before November 7, 2006 and after January 5, 1981. These amended portions emphasize locating and repairing VOC leaks; specify monitoring requirements for certain part-time units, pump and valve units, and delay-of-repair situations; and state that purged process fluid containers must be covered (except during filling or emptying). There are currently 33 sources subject to Subpart VV operating in Kansas.

Subpart VVa pertains to affected facilities at synthetic organic chemical manufacturing plants that were constructed, reconstructed, or modified after November 7, 2006. It includes all of the provisions of subpart VV with some additions. It lowers the leak definition for certain pumps, includes requirements for monitoring connectors. Currently there is one source subject to Subpart VVa operating in Kansas.

Subpart GGG pertains to affected facilities at petroleum refineries that commenced construction, reconstruction, or modification on or before November 7, 2006. The amendments to this section contain a few technical corrections and redefine select terms. Subpart GGGa pertains to affected facilities at petroleum refineries that were constructed, reconstructed, or modified after November 7, 2006. This addition requires that affected facilities follow the regulations under subpart GGG as well as the regulations under subpart VVa, save for the connector monitoring requirements. There are currently two sources subject to Subpart GGG operating in Kansas.

Cost/Economic Impact:

Facilities affected by subparts VVa and GGGa are required to meet all recordkeeping and recording requirements established by parts VV and GGG, and must satisfy additional daily quality assurance and recordkeeping requirements as well. For subpart VVa EPA estimates that such recordkeeping and recording requirements of this action will take approximately 29 hours per semiannual response, with the monitoring capital/startup cost for the first three years totaling about $4,200 per facility. For subpart GGGa, EPA estimates the hour burden to be approximately 70 hours per semiannual response, with no additional capital/startup costs.

This action will have an impact on new facilities only, or facilities that undergo reconstruction in the future. For new or reconstructed sources, the cost of purchasing a control unit ranges from $1,800-$2,600, a relatively minor expense. The only foreseeable impact for existing facilities concerning this action would concern the planning phase for a new addition or reconstruction project.

b) Initial and annual costs of implementing and enforcing the proposed amendments, including the estimated amount of paperwork, and the state agencies, other governmental agencies or other persons or entities who will bear the costs.

The NSPS that are being proposed will transfer regulation authority from the EPA to the KDHE. The adoption of proposed changes to 40 C.F.R. Part 60 are not expected to increase the KDHE current staff members' regulatory duties. The permitting staff is already incorporating elements of the existing federal requirements into permits being drafted because the federal regulations will apply and are assumed to be state-regulated eventually. Amendments to 40 C.F.R. Part 60 Subpart EEEE and FFFF, dealing with Other Solid Waste Incineration units, may seem to increase the compliance effort because the OSWI rule expands the regulated community. However, facilities required to obtain Title V permits are already obtaining open burning permits; therefore, the permit department will not incur an increase in workload, merely a shift in the type of permit being issued.

c) Costs which would likely accrue if the proposed regulations are not adopted; the persons who will bear the costs and those who will be affected by the failure to adopt the regulations.

KDHE needs to adopt current regulations and amendments to stay on a par with the national standards. If the proposed amendments are not adopted, the state will not have the authority necessary to implement and enforce the new standards listed in this impact statement, *i.e.*, the EPA would remain as the primary authority for those standards that have been promulgated by the EPA since June 30, 2005. As previously discussed, this would result in a "split authority" regulatory structure for the NSPS. This situation could potentially lower consistency in the application of standards, and burden regulated facilities because they will have to work with both the state and the EPA. This results in confusion for the regulated community regarding the applicable requirements that must be met, as well as the added burden of working with two agencies, instead of one.

d) A detailed statement of the data and methodology used in estimating the costs used in the statement.

The economic impact information contained herein has been obtained through EPA analysis documents, where available, for the respective rulemaking actions, and supplemented where possible with information found in the proposed or final rule notices in the *Federal Register*. When the EPA provided a cost analysis on a national level, estimates were made to apply the cost analysis to Kansas facilities.

e) Description of any less costly or less intrusive methods that were considered by the agency and why such methods were rejected in favor of the proposed regulations.

There are no alternative methods of implementing the federal requirements that would be less costly or less intrusive. The EPA does not finalize a regulation until it has been subjected to public comment and criticism. When criticism is received, the EPA will evaluate the comments and decide whether to withdraw the rule, or amend it in light of the comment. Therefore, the proposed regulations have all been reviewed and critiqued thoroughly before adoption.

f) Consultation with League of Kansas Municipalities, Kansas Association of Counties, and Kansas Association of School Boards.

Some of the federal rules being adopted in this rulemaking may affect the constituencies of these organizations; however, the state rulemaking action does not change the requirements for those so affected. Copies of the rules and this statement are being provided to these organizations for their review and comment.

APPENDIX A

The following are the amendments being proposed for adoption that were determined not to cause or contribute to an economic impact to facilities in Kansas. They are currently contained in the *Federal Register* 40 C.F.R. Part 60:

Definition Correction:

- **60.41c Subpart Dc**

December 16, 2005 Volume 70: 74679

This action is a correction to the definition of annual capacity factor.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation.

Stationary Gas Turbines:

Summary of Subparts GG and KKKK:

Under 40 CFR 60, Subpart GG regulates the NSPS for Stationary Gas Turbines and Subpart Da regulates the NSPS for Electric Utility Steam Generating Units for which construction is commenced after September 18, 1978. Subpart KKKK is the newest regulation being proposed which would regulate the NSPS for Stationary Combustion Turbines for which construction is commenced after February 18, 2005. If a facility qualifies to be regulated under KKKK, it will no longer be regulated by GG and Da. There are 28 sources subject to Subpart GG and four sources subject to Subpart KKKK currently operating in Kansas.

- **60.334-60.335 Subpart GG**

February 24, 2006 Volume 71: 9453-9458

This action amends the final rule for NSPS for Stationary Gas Turbines. First off, the amendment boldly clarifies that the EPA is not imposing mandatory new requirements for post-1977 constructed turbines; rather it is providing optional monitoring methods for owners and operators of existing and new turbines. This rule was originally promulgated in 1979, and since then there has been major advances in technology that need to be implemented to improve emission controls and test methods. This rule harmonizes the new regulations under 40 CFR part 60 subpart GG, with the monitoring provisions under 40 CFR part 75, which are the continuous emissions monitoring requirements of the acid rain program under title IV of the CAA, since many existing and new gas turbines are subject to both regulations.

This current regulation also amends Subpart GG by clarifying the term "new turbines," which was referenced in the introductory text to 40 CFR 60.334(f) Subpart GG. The amendment clarifies that "new turbines" means turbines that commenced construction after July 8, 2004, which do not use water or steam to control NO_x emissions. In proposing these amendments, EPA was aware of another proposed rule 40 CFR 60 Subpart KKKK (see above). Subpart KKKK sets new NO_x limits and monitoring requirements for stationary combustion turbines for which construction is commenced after February 18, 2005. Therefore, this amendment to subpart GG regulates the turbines that fall within the time frame from July 8, 2004-February 17, 2005.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation, because it is not imposing mandatory new requirements for post-1977 constructed turbines; rather it is providing optional monitoring methods for owners and operators of existing and new turbines.

Electric Utility Steam Generating units and Industrial Commercial-Institutional Steam Generating Units

- **60.40-60.50 Subpart Da; 60.40-60.48 Subpart Db; 60.40-60.48 Subpart Dc**

February 27, 2006 Volume 71: 9866-9886

This action amends the emission standards for subparts Da (Electric Utility Steam Generating units), Db (Industrial-Commercial-Institutional Steam Generating units), and Dc (small industrial-commercial-institutional steam generating units). However, this amendment is only applicable to facilities that begin construction, modification, or reconstruction after February 28, 2005. This amendment also revises several technical errors and compliance issues.

Cost/ Economic Impact:

Electric Utility Steam Generating Units (40 C.F.R. 60 subpart Da):

The EPA estimates that 5 new Electric Utility Steam Generating units will be installed in the US over next 5 years that will be affected by the rule. All of these units will be required to install add-on controls to meet these emission limits, however, these boilers will already be required to install add-on controls to meet the reduction requirements of the existing NSPS. The annualized cost of the final utility amendments will be $880,000 per facility. Currently, Kansas has two facilities, Sunflower Holcomb and Abengoa Hugoton plant, both of which are regulated by these new standards. Although these facilities are regulated by these standards, they are both additionally subject to Prevention of Significant Deterioration of air quality regulations which require the installation of best available control technology (BACT). The limits for BACT are in all cases more stringent and therefore more costly for the facility, therefore there is no economic impact resulting from these amendments.

Industrial-Commercial-Institutional Steam Generating Units (40 C.F.R. subpart Db, Dc):

The EPA estimates that 186 new Industrial-Commercial-Institutional Steam Generating units will be built throughout the US in the next 5 years. Existing NSPS requirements already require add-on controls and the New Source Requirements under MACT program and Prevention of Significant Deterioration require new units to install controls beyond what is currently required under the existing NSPS, therefore there will be no additional costs to facilities to install add-on controls. The only exception to this is for wood-fired boilers. Since Kansas does not have any wood-fired boilers, no costs will be incurred. Under the EPA economic analysis, the impact on electric utility and consumer goods and services was essentially zero, with price increases less than 0.003%.

- **60.49b Subpart Db**

November 16, 2006 Volume 71: 66681-66685

This action promulgates a facility specific NO_x for a steam generating unit which simultaneously combusts fossil fuel and chemical byproduct offgas at the Innovene USA LLC facility located in Lima, Ohio.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation.

- **60.13 and 60.17 Subpart A; 60.40a-60.46a Subpart D; 60.40b-60.52b Subpart Da; 60.40-60.49 Subpart Db; 60.40c60.48c Subpart Dc; and Appendices B and F.**

June 13, 2007 Volume 72: 32710-32768

This action amends the NSPS for electric utility steam generating units and industrial-commercial-institutional steam generating units. These amendments add compliance alternatives for owners and operators of certain affected sources, revise certain recordkeeping and reporting requirements, correct technical and editorial errors, and update the grammatical style of the four subparts to be more consistent across all of the subparts.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation.

Stationary Combustion Turbines:

- **61.17 Subpart A, 60.43-60.4420 Subpart KKKK**

July 6, 2006 Volume 71: 38482-38506

This action finalizes a NSPS for Stationary Combustion Turbines where construction is commenced, modified or reconstructed after February 18, 2005. This rule applies to stationary combustion turbines that have a peak load equal to or greater than 10.7 GJ per hour. This rule is similar to Subpart GG except this final rule applies to new, modified, and reconstructed stationary combustion turbines and their associated heat recovery steam generators (HRSG) and duct burners. The turbines that are subject to Subpart KKKK, are exempt from the requirements of GG, and the HRSG subject to KKKK are exempt from the requirements of 40 CFR part 60 Subparts Da, Db, and Dc.

Cost/Economic Impacts:

The EPA estimated that since current Prevention of Significant Deterioration and New Source Review regulations require facilities with Stationary Combustion Turbines to install add-ons, any new turbines being installed would already be required to install add-on controls, thus the installation costs are not a result of this regulation. Therefore, there is no additional economic cost to the industry. The EPA did, however, conduct an economic impact analysis to predict the impact that the regulation may have on the producers of turbines, and the consumers of goods and services made by turbines. They concluded that there will be minimal change for prices and output of products made by industries affected by the rule (both less than 0.003%). They estimated that there will be an increase in electricity supplied by unaffected sources (e.g. existing stationary combustion turbines), which will offset the increased electricity prices to consumers. This will result in minimal to no costs for society.

Large Municipal Waste Combustors

- **60.30b-60.59b, Tables 1-3 Subpart Cb; 60.50 Subpart E; 60.50b–60.59b Subpart Eb**

May 10, 2006 Volume 71: 27324-27348

This action amends air emission standards for existing and new large municipal waste combustor (MWC) units. Standards for MWC units were promulgated in 1995 and implemented in 2000. This action amends the standards to reflect the actual performance levels being achieved by existing MWC units and amends the standards for new MWC units to reflect the performance level achievable by MWC units constructed in the future. There currently are no sources subject to this NSPS operating in Kansas.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation.

- **60 Subpart Cb and Eb**

March 20, 2007 Volume 72: 13016-13023

This action is a notice of reconsideration of the final rule published on May 10, 2006. EPA is reconsidering three aspects of the rule: operator stand-in provisions, data requirements for continuous monitors, and the status of operating parameters during the 2 weeks prior to mercury and dioxin/furan testing.

Cost/Economic Impact:

There is no substantial economic cost resulting from this action.

Instrumental Test Methods:

- **Appendix A-2, A-4, A-7**

May 15, 2006 Volume 71: 28082-28104

This action finalizes amendments for the five instrumental test methods that are used to measure air pollutant emissions from stationary sources. This action is to improve the methods

by updating, harmonizing and simplifying their procedures. Many industries are already subject to these provisions that require the use of these methods. Currently, Kansas has numerous facilities that are in the industries already using these upgraded techniques.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation.

- **Appendix A-2, A-4, A-7**

May 22, 2008 Volume 73: 29691-29698

This action corrects errors in a final rule published May 15, 2006 that updated five continuous instrumental test methods. As published, the rule contained inadvertent errors and provisions that needed to be clarified. EPA published a direct final rule with a parallel proposed rule on September 7, 2007 to correct the errors and to add clarifying language. However, EPA received an adverse comment on the direct final rule, and it was subsequently withdrawn on November 5, 2007. This action finalizes the parallel proposal. In this final rule, EPA corrects errors, clarifies certain provisions, and responds to the adverse comment received on the direct final rule published on September 7, 2007.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation.

General Provisions:

- **60.13 Subpart A**

June 1, 2006 Volume 71: 31100-31102

The EPA issued a final rule on August 10, 2000, (65 FR 48914) that revised the monitoring requirements in Performance Specification 1 (PS–1) of Appendix B of part 60. The final rule contained a minor error in the revised § 60.13(d)(1). This action is intended to correct this error.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation.

- **60.2 Subpart A**

May 16, 2007 Volume 72: 27437-27443

This action promulgates revisions to the General Provisions portion of Part 60 NSPS. The revision allows source category owners and operators extensions to the deadlines imposed when conducting an initial or subsequent performance test by adding a definition of force majeure.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation.

Methods for Determining Visible Emissions:

- **60.106(b)(3) Subpart J; 60.284(f) Subpart BB; 60.752(b)(2)(iii)(A) and 60.754(e) Subpart WWW**

September 21, 2006 Volume 71: 55119-55128

This action finalizes Methods 203A, 203B, and 203C for determining visible emissions using data reduction procedures that are more appropriate for State Implementation Plan (SIP) rules than Method 9, the method currently used. This action was requested by the States and is needed for the special data reduction requirements in their rules. The intended effect is to provide States with an expanded array of data reduction procedures for determining compliance with their SIP opacity regulations. In addition, this action amends various testing provisions in Part 60 NSPS to correct inadvertent errors and amend a testing provision.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation.

Other Solid Waste Incineration units:

- **60 Subpart EEEE and Subpart FFFF**

November 24, 2006 Volume 71: 67802-67807

This action is a technical correction of the averaging time for measuring opacity in the emission guidelines and NSPS for other solid waste incineration (OSWI) units.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation.

January 22, 2007 Volume 72: 2620-2631

This action is a denial for a request for consideration related to NSPS and emissions guidelines for existing sources: other solid waste incineration (OSWI) units, which was published on December 16, 2005. The action finalizes the choice of the EPA to exclude sewage sludge incinerators (SSI) from the rules imposed on OSWI units and it finalizes the choice to make no changes to the final OSWI rules.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation.

Mercury Monitoring Systems

- **Appendix A-8, Appendix B**

September 7, 2007 Volume 72: 51494 – 51531

This action establishes two optional methods for relative accuracy audits of mercury monitoring systems installed on combustion flue gas streams and several amendments to related mercury monitoring provisions.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation.

- **Appendix A-8, Appendix B**

September 28, 2007 Volume 72: 55278-55279

This action corrects errors from the September 7, 2007 action concerning mercury monitoring systems.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation.

Stationary Spark Ignition Internal Combustion Engines

- **60.17 Subpart A; 60.4230 – 60.4248 Tables 1-4 Subpart JJJJ**

January 18, 2008 Volume 73: 3568-3614

This action promulgates NSPS that would apply to new, modified and reconstructed stationary spark ignition (SI) internal combustion engines (ICE). A new stationary spark ignition engine is one that is manufactured or ordered after the date this proposal is published in the Federal Register and manufactured after July 1, 2007, for engines greater than or equal to 500 horsepower, and after July 1, 2008, for engines less than 500 horsepower. Stationary spark ignition engines that begin modification or reconstruction after June 12, 2006 also are subject to the rule. There are currently 11 sources subject to Subpart JJJJ operating in Kansas.

Cost/Economic Impact:

The real-resource costs associated with this NSPS include the cost of installing and maintaining air pollution control equipment; the activities related to engine certification for manufacturers; and the cost of initial notification, record keeping, and testing for certain engine

owners and operators. EPA estimates total annualized costs of all the NSPS requirements will be $18.6 million (2005 dollars) for the year 2015. [3]

Certification costs for SI engines range from $13-$153; non-certified engines would incur a $1,000 per engine compliance test (including emergency engines). The certification requirements for this rule range from $13-$153, with record keeping amounting to about $68 a year. [4]

EPA expects that the prices for affected engines greater than 175 HP will rise by 5-7%, while the prices for affected engines less than 175 HP will rise by 17-33%. However, it is estimated that production will not significantly decline based upon prior analysis of the market. In turn, EPA does not estimate a significant economic impact.

Synthetic Organic Chemicals Manufacturing Industry and Petroleum Refineries

- **60.480, 60.481, 60.482-1 Subpart VV; 60.480a, 60.481a, 60.482-1a, 60.482-11a Subpart VVa; 60.590, 60.591 Subpart GGG; 60.590a, 60.591a Subpart GGGa**

June 2, 2008 Volume 73: 31376-31380

This action merely extends the stay of certain requirements established in the November 16, 2007 Rule.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation.

Petroleum Refineries

- **60.17 Subpart A; 60.100-60.102, 60.104-60.108 Subpart J**

June 24, 2008 Volume 73: 35838-35881

This action promulgates amendments for the NSPS regulations regarding petroleum refineries. These amendments include changing the definition of ‘‘fuel gas’’ and finalizing exemptions for certain fuel gas streams from all continuous monitoring requirements in§ 60.105(a)(4)(iv). Monitoring is not required for combustion in a flare of process upset gases or flaring of gases from relief valve leakage or emergency malfunctions since these streams are exempt from the standard under 40 CFR 60.104(a)(1). Additionally, monitoring is not required for inherently low sulfur fuel gas streams since the emissions generated by combusting such streams will necessarily be well below the standard. Owners and operators are required to document the exemption for which each fuel gas stream applies and ensure that the stream remains qualified for that exemption. For accuracy in the calculation of the coke burn-off rate, we are revising the coke burn-off rate equation in 40 CFR 60.106(b)(3) to be consistent with the equation in 40 CFR 63.1564(b)(4)(i). This revision adds a fourth term to the coke burn-off rate equation to account for the use of O2-enriched air. Other revisions to the equation change the constant values and the units of the resulting coke burn-off rate from Megagrams per hour (Mg/hr) and tons per hour (tons/hr) to kilograms per hour (kg/hr) and pounds per hour (lb/hr). The final amendments also include technical corrections to fix references and other miscellaneous errors in 40 CFR part 60, subpart J.

Cost/Economic Impact:

There is no substantial economic cost resulting from this regulation.

[3] EPA, December 2007: *Regulatory Impact Analysis for the Stationary Spark-Ignition New Source Performance Standard (SI NSPS) and New Area Source NESHAP* [Docket ID: EPA-HQ-OAR-2005-0030]

[4] Parise, T., Alpha-Gamma Technologies, Inc. 2007. Memorandum: *Cost Impacts and Emission Reductions Associated with Final NSPS for Stationary SI ICE and NESHAP for Stationary RICE* [Docket ID: EPA-HQ-OAR-2005-0030]

APPENDIX B

The following amendments were published in the *Federal Register*, however, they are not being proposed for adoption by the state of Kansas:

Commercial and Industrial Solid Waste Incineration Units (CISWI):

- **60.2265 Subpart CCCC; 60.2875 Subpart DDDD**

September 22, 2005 Volume 70: 55568-55581

This action amends the NSPS for Commercial and Industrial Solid Waste Incineration Units (CISWI). This action is a reconsideration of certain regulatory definitions under the prior NSPS. In this action EPA is promulgating new definitions for the terms: solid waste, commercial and industrial waste, commercial and industrial solid waste incineration units. Subpart CCCC refers to CISWI units where construction is commenced after November 30, 1999 or where modification or reconstruction was commenced on or after June 1, 2001. Subpart DDDD refers to CISWI units that commenced construction on or before November 30, 1999. This action's amendments apply to both of these subparts.

The September 22, 2005 amendments to section 60.2265 Subpart CCCC and 60.2875 Subpart DDDD of the NSPS for Commercial and Industrial Solid Waste Incineration (CISWI) units should not be adopted by Kansas due to recent litigation. This amendment was promulgated in 2005 and since then, the amendment has been vacated and remanded for further review. The amendment redefined the terms: solid waste, commercial and industrial waste, commercial and industrial solid waste incineration units. A court decision on June 8, 2007 by the US Court of Appeals for the District of Columbia held that the definitions portion of the rule should be vacated because it was inconsistent with the plain language of the Clean Air Act Section 129.[5] Therefore, this amendment will be reconstructed and proposed at a later date for which it will be available to review for adoption.

New and existing Electric Utility Steam Generating Units: Reconsideration

- **60.24 Subpart B; 60.40Da – 60.50Da Subpart Da; 60.40b Subpart Db; 60.4104-60.4140 Subpart HHHH**

June 9, 2006 Volume 71: 33388-33402

This action sets forth EPA's decision after reconsidering certain aspects of the March 29, 2005 final rule entitled ''Revision of December 2000 Regulatory Finding on the Emissions of Hazardous Air Pollutants From Electric Utility Steam Generating Units and the Removal of Coal- and Oil-Fired Electric Utility Steam Generating Units from the Section 112(c) List'' (Section 112(n) Revision Rule). This action also issues EPA's final decision regarding reconsideration of

[5] *Natural Resources Defense Council v. EPA*, D.C. Cir., No. 04-1385. The Court made its ruling effective on July 30, 2007. A copy of the case has been included in the reference materials.

certain issues in the May 18, 2005 final rule entitled ‘‘Standards of Performance for New and Existing Stationary Sources: Electric Utility Steam Generating Units’’ (Clean Air Mercury Rule; CAMR).

Definition of Cogeneration Unit in Clean Air Interstate Rule (CAIR), CAIR Federal Implementation Plans, Clean Air Mercury Rule (CAMR), and Technical Corrections to CAIR, CAIR FIPs, CAMR, and Acid Rain Program Rules

- **60.4102 Subpart HHHH**

October 19, 2007 Volume 72: 59190-59207

The Clean Air Interstate Rule (CAIR), CAIR Federal Implementation Plans (FIPs), and Clean Air Mercury Rule (CAMR) each include an exemption for cogeneration units that meet certain criteria. In light of information concerning biomass-fired cogeneration units that may not qualify for the exemption due to their particular combination of fuel and technical design characteristics, EPA is changing the cogeneration unit definition in CAIR, the CAIR model cap-and-trade rules, the CAIR FIPs, CAMR, and the CAMR model cap-and-trade rule. Specifically, EPA is revising the calculation methodology for the efficiency standard in the cogeneration unit definition to exclude energy input from biomass making it more likely that units co-firing biomass will be able to meet the efficiency standard and qualify for exemption. This action also clarifies the term ‘‘total energy input’’ used in the efficiency calculation and makes minor technical corrections to CAIR, the CAIR FIPs, CAMR, and the Acid Rain Program rules.

On February 8, 2008, the District of Columbia Circuit Court of Appeals, in a unanimous decision, vacated the EPA's mercury cap-and-trade rule, known as the Clean Air Mercury Rule (CAMR), and the associated New Source Performance Standard (NSPS). The vacatur was mandated by the Court on March 14, 2008 and the associated mercury rules are no longer effective. To provide regulatory certainty for sources in Kansas, KDHE is proposing to revoke K.A.R. 28-19-728, K.A.R. 28-19-728a through K.A.R. 28-19-728f provisions and exclude specific provisions of 40 C.F.R. part 60 from K.A.R. 28-19-720, which implement the federal Clean Air Mercury Rule. Specifically the proposed K.A.R. 28-19-720(a)(7) excludes Subpart HHHH from adoption.

Petroleum Refineries

- **60.100a-60.109a Subpart Ja**

June 24, 2008 Volume 73: 35838-35881

This action promulgates new standards of performance petroleum refineries for which construction, reconstruction, or modification commenced after May 14, 2007 separate from the existing NSPS for petroleum refineries established in Subpart J. These final standards for new process units include emissions limitations and work practice standards for fluid catalytic cracking units, fluid coking units, delayed coking units, fuel gas combustion devices, and sulfur recovery plants. These final standards reflect demonstrated improvements in emissions control technologies and work practices that have occurred since promulgation of the current standards.

Following the June 24, 2008 action, the Administrator of EPA received three petitions for reconsideration. In response to the petitions, EPA granted a stay of certain

provisions in the new standards in two separate actions (July 28, 2008 and September 26, 2008). In a December 22, 2008 action, EPA extended the stay of the requirements under reconsideration until a final decision can be reached on these issues. To date no final decision has been published, therefore KDHE does not recommend adopting these provisions in the Kansas Air Quality Regulations.

The following are not delegable rules and are not recommended for adoption by reference:

Cross Media Electronic Reporting

- **60.25 Subpart B**

October 13, 2005 Volume 70: 59848 - 59889

This action establishes the framework by which EPA will accept electronic reports from regulated entities to satisfy certain document submission equipments of EPA's regulations. This rule does not mandate that regulated entities utilize electronic methods to submit documents in lieu of paper-based submissions.

Definition of Cogeneration Unit in Clean Air Interstate Rule (CAIR), CAIR Federal Implementation Plans, Clean Air Mercury Rule (CAMR), and Technical Corrections to CAIR, CAIR FIPs, CAMR, and Acid Rain Program Rules

- **60.24 Subpart B**

October 19, 2007 Volume 72: 59190-59207

This action clarifies the definitions of biomass, cogeneration unit and the term "total energy input" and makes minor technical corrections to CAIR, the CAIR FIPs, CAMR, and the Acid Rain Program rules.

General Provisions

- **60.4 Subpart A**

May 6, 2008 Volume 73: 24870-24871

This technical amendment updates and corrects the address for submitting documents to the EPA Region VIII office.